

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, December 14, 2004

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 14, 2004 at 6:00 a.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
Councilmember	Frank Sa
	Rex Williams
	Pat Williams (absent)

Town Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Town Attorney	Robert Pecharich
Town Crewman	Elpidio Rangel
Patrolman	Tom Nester
Police Chief	Pat Haynie
Town Crewman	Tim Wakefield
Lead Crewman	Kevin Adams
Com. Dev. Director	Steven Brown
Public Works Mgr	Steve Burroughs
Finance Director	Coleen Gilboy
Foreman	Mick McCullough
Admin. Assistant	Chris Christensen
Crewman	Craig Diana

Others in Attendance: Curt Bohall, Chris Boothe, Ellie Bauerr, Harvey Grady, Joe Erumort, Mr. & Mrs. Swift, Sherry Seaman, John Christensen, Debbie Wakefield, Jim and Pat Alexander, Erin Lamb, Leslie Owen, Camile Severson and others whose names were not listed.

CALL TO ORDER. Mayor Von Gausig called the meeting to order at 6:07 p.m. and noted that Councilmember P. Williams was not in attendance, however a quorum was present. He noted that Councilmember R. Williams and Town Manager Mabery would be leaving the meeting early.

EMPLOYEE RECOGNITION – Recognition of Administrative Assistant Chris Christensen for 15 years of service. Recognition of town Crewman Tim Wakefield for five years of service. Recognition of Town Employees for dedication to excellence in the delivery of town services.

Mayor Von Gausig presented Chris Christensen with a plaque in appreciation for 15 years of employment with the Town of Clarkdale.

Chief Haynie stated that Administrative Assistant Christensen started with the town under Chief Spence. She has worked in several capacities for the town, including the front desk, court, and cemetery. For her 15 years of service the Police Department is giving her two nights for her and her husband in Laughlin and gas coupons.

Town Manager Mabery said that it is not often that employers have employees stay with them for 15 years and that the town is fortunate to have people who have worked for the town for this length of time. Town Manager Mabery stated that she is a fantastic employee and thanked her for all she does for the town.

Mayor Von Gausig presented a five-year award to Tim Wakefield. It was noted that he also is a fantastic worker, has a good attitude, and is committed to the community.

Mayor Von Gausig presented certificates to Town Crewmembers who worked on the Town Gazebo. A citizen nominated them for an award for Cities and Towns Week.

AWARD OF BIDS – Selection of a successful bidder to provide construction services for upgrades to the wastewater treatment plant and authorization for staff to negotiate and sign a contract with the selected contractor.

Public Works Manager Burroughs gave the

background of the project from the staff report as follows:

The existing Wastewater Treatment Plant was built in the 1920s and upgraded in the 1970s. It currently produces sub-Class C effluent and discharges it onto the mine tailings owned by Phelps Dodge (PD). The development agreement between PD and the Town calls for removal of the effluent and its disposal at an alternate site by the end of 2005. The first step toward fulfilling that agreement involves upgrading the plant so that the effluent achieves Class B quality and is acceptable for other applications.

The Town applied for and received a \$350,000.00 Community Development Block Grant (CDBG) to offset the costs of the upgrade. Additional funding for the project will come from the Plant Equipment fund, which has a budget of \$178,840.00 for FY 2004-2005.

Bids were opened at 3:00 p.m. on December 9, 2004. Two were received: one from Fann Contracting, Inc. and one from Gantry Constructors.

Town Attorney Pecharich noted the state statute definition of "lowest responsible bidder".

It was noted that the engineer's estimate of the project was significantly lower than the amount of the bids. This is attributed to specific vendors being required in the specifications and increased costs for construction materials.

Councilmember Sa made a motion to accept the bid from Fann Construction for \$353,248. Councilmember R. Williams seconded the motion. Vice Mayor Wiley stated that he was on the council when Fann Construction worked for the Town before and noted that they were not a cooperative contractor. Councilmember R. Williams removed his second.

Councilmember Sa amended his motion to state: to accept the bid for Fann Construction in the amount of \$353,248 and direct staff to be extra vigilant on overseeing the job. Councilmember R. Williams seconded. The motion passed unanimously.

KIOSKS – Consideration of approving the purchase and design of message centers (kiosks) and their locations throughout town.

Town Manager Mabery stated that this agenda item came from action the council took in late August. Discussion followed regarding suggested locations. Councilmember Williams stated that the discussion in August was about getting information out to the public. He suggested that, instead of kiosks, direct mailings be sent to all Clarkdale citizens. He noted that the kiosks only serve the people in specific areas who look at them. Councilmember R. Williams continued by saying that mailings would cost \$304 in postage and be delivered to everyone in town. For the cost of these kiosks six mailings could be sent. Discussion followed.

Mayor Von Gausig stated that he feels more information can go on a kiosk than what can fit in a mailing and that the kiosks are experimental and if they are effective the program can be continued.

Vice Mayor Wiley made a motion to authorize staff to purchase a medium-size, single-sided message center for Centerville Park and a medium-size, double-sided message center to be located on Sky Drive. Mayor Von Gausig seconded.

Councilmember Sa stated concerns about vandalism problems that have been occurring in Centerville Park. Town Manager Mabery noted that it is a high-density neighborhood and staff felt it was worth the risk to provide the message center there. The motion failed with Mayor Von Gausig and Vice Mayor Wiley voting in favor and Councilmembers Sa and R. Williams voting against.

Councilmember R. Williams made a motion directing staff to create mailings to the town citizens. Town Attorney Pecharich called a Point of Order and stated that the proposed motion was not within the scope of the agenda item.

Councilmember Sa made a motion to purchase two medium-sized, double sided message centers and place them on Sky Drive and in Mingus Shadows.

Mayor Von Gausig seconded. The Motion passed with Councilmember R. Williams opposed.

Town Attorney Pecharich and Councilmember R. Williams left the meeting.

AUDIT – Consideration of approving the financial audit for fiscal year 2003-2004.

Finance Director Gilboy introduced Dennis Osuch from the Cronstrom & Trbovich auditing firm. He noted that this was the first year the town reported according to Governmental Accounting Standards Board Statement Number 34 (GASB 34). He noted that they made some suggested improvements to current practices. He noted that Finance Director Gilboy did an excellent job in working with his firm to complete the audit.

Vice Mayor Wiley moved to approve the 2003-2004 annual audit. Councilmember Sa seconded. The motion passed unanimously.

Town Manager Mabery left the meeting.

NON-PROFIT FUNDING – Awarding of funds to government agencies, non-profit and not-for-profit organizations that provide services and/or projects that benefit Clarkdale Citizens.

Town Clerk Driscoll stated that every year the town receives request from various agencies requesting funds for their programs that benefit Clarkdale citizens. She stated that during the 2004-2005 budget process the council decided to set aside a set amount of funds and develop a process by which entities could request funding. Interested entities were given until September 30th to submit their applications. She noted that a review committee was formed consisting of Vice Mayor Wiley, Councilmember Sa, Planning Manager Escobar, Librarian Hawken and herself. The committee made the recommendation contained in the staff report and further recommends approval of a request by Relay for Life for the use of town tents.

Mayor Von Gausig made a motion to accept the staff recommendation, which was to approve the

Relay for Life request for the use of town tents and to fund the organizations as follows:

Verde Valley Veteran's Vans, \$960
Buena Vista Children's Services, \$800
Verde Valley Land Preservation Institute, \$760
Clarkdale Chamber of Commerce, \$750
Clarkdale Heritage Center, \$675
Youth Count, \$555

Councilmember Sa seconded. The motion passed unanimously.

SIGN ORDINANCE – Discussion and possible direction to staff/Planning Commission regarding possible changes to the Town Sign Ordinance, including but not limited to, penalties and/or registration fees for political signage.

Without objection, Mayor Von Gausig opened public comment.

Ellie Bauer, 1201 Main Street, stated that she would like to give public comment on the item after discussion.

Public comment was closed.

Mayor Von Gausig stated that there were many candidate signage violations this year. He noted that candidates put up the signs and, if it is not in compliance, the town takes it down, but the sign has already had an impact. He noted that he was interested in talking about better enforcement for this and noted that the City of Sedona requires a deposit, which is refunded if there are no violations.

Community Development Director Brown stated that the problem is not only persons exceeding the size limitation, but also location, i.e. putting signs up in town right-of-ways. He stated that if there is a violation, staff removes the sign and contacts the candidate so he or she can retrieve their sign.

Discussion followed about the time and cost involved in the town taking down signs. It was noted that signs are to be taken down 10 days after the election, which has also been a common

violation.

Discussion continued of what the town's code says regarding political signage.

Without objection, the item was opened to public comment.

Ellie Bauer, 1201 Main Street, stated that she thinks that one of the most cost effective things that staff could do is send letters to candidates before elections and remind them that if they are putting signs on private property they should ask permission of the property owner.

Mayor Von Gausig noted that most of the problems were not involving candidates that the town would send mail to, i.e. the president, etc. He noted that he is still in favor of a monetary deposit.

Community Development Director Brown suggested that staff look at how other municipalities address the issue and come back to the council in a couple of months.

INFORMATIONAL REPORTS

MAYOR'S REPORT – none.

TOWN MANAGER'S REPORT – none.

NACOG – none.

NAMWUA – Mayor Von Gausig noted that there was no meeting this month and stated that in January they will discuss implementing a fee to hire administrative staff.

WAC – Mayor Von Gausig stated that WAC had a meeting with the Yavapai County Board of Supervisors in Prescott. WAC presented a conservation plan and an administration plan for water in Yavapai County.

CATS – none.

COCOPAI – none.

CONSENT AGENDA

- A) **Approval of minutes of the Common Council** – approval of the minutes of the Regular Meeting held November 9, 2004 and the Special Meeting held November 16, 2004.

- B) **Claims** – list of specific expenditures made by the Town during the previous month.

C) **Board and Commission Minutes-**

Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.

Library Advisory Board –

November 4, 2004.

Planning Commission –

November 15, 2004.

Parks and Recreation Board –

October 11 and November 8, 2004.

Heritage Conservancy Board Minutes –

November 17, 2004

- D) **Reports**-Approval of written Reports from Town Departments and Other Agencies.

Fire Department Report and Mutual Aid

Responses Report-November 2004

Magistrate Court Report-November 2004

Building Permit Report-November 2004

Police Department Report

Cottonwood Area Transit System (CATS)

Operations Report-November 2004

Verde Valley Transportation Planning

Organization (VVTPO) Report

- E) **Proclamation**-Approval of a proclamation declaring December as Arts and Culture Month in Clarkdale

Vice Mayor Wiley requested that Item E be pulled from the consent agenda.

Mayor Von Gausig moved to approve items A-D. Councilmember Sa seconded. The motion passed unanimously.

Vice Mayor Wiley noted that 800 students viewed the art in the Made in Clarkdale art show. Vice Mayor Wiley moved to accept Item E. Councilmember Sa seconded. The motion passed unanimously.

PUBLIC COMMENT.

Chris Booth, 123 Sunset Blvd, thanked the Mayor for his work on the Clarkdale calendar. He

reported that the Stewards of Public Lands met Saturday at a clean-up event and there was a good turnout. Mr. Booth stated that he washed his van the other day and it had white residue on the windows. He stated his concern of particulate matter being in the air and going into our lungs. He stated that his neighbor said he looked at the cement plant early in the morning and it looked like fog. Mr. Booth requested that the council write a letter to the cement plant regarding this particulate matter. He added that he knows this is a dusty area, but he felt this was above and beyond.

Joe Gramont, 1985 Old Jerome Highway, commented on the Planning Commission meeting held the day before. He expressed disappointment that the Planning Commission acted too quickly. He stated that there should have been more time to work with the developers to incorporate more into their development plans. He stated that at the meeting the developers heard the suggestions of the public and they said they could look into them, but the planning and commission made their recommendation. He stated that he wanted to encourage the council to send the plan back to the Planning Commission and for the town to not "lie down so quickly".

Mayor Von Gausig directed staff to contact Mr. Gramont.

Ellie Bauer, 1201 Main Street, stated that there are other businesses in the area of the cement plant that can create dust.

Otho Behr, 1881 Peregrine Lane, stated that his wife attended the Planning Commission meeting and was very upset. He stated that he also does not like the idea of the Planning Commission just approving the development plan like they did. He stated that it is not "We the People," it is "They the People". He stated that a lot of people work a lot of hours like he does and do not really have time to stop at a kiosk. He liked the idea of the mailings. He also wondered about the maintenance and cost of someone updating the kiosk information.

FUTURE AGENDA ITEMS

Councilmember R. Williams requested a report on the December 2, 2004 Focused Future Forum.

Mayor Von Gausig requested the sign ordinance item be placed back on the agenda when the Planning Department has reviewed the issue.

Vice Mayor Wiley requested an item to require fire sprinklers in all new-construction private homes and an item regarding stricter requirements for low flow toilets

Councilmember Sa requested a report on the Mountain Gate well drilling.

ADJOURNMENT - With no further business before the Council, and without objection, the meeting adjourned at 8:25 p.m.

APPROVED:

Doug Von Guasig, Mayor

SUBMITTED:

Joyce Driscoll, Town Clerk